
**DEPARTMENT
POLICY**

Bridges will help determine who must be included in the Food Assistance Program (FAP) group prior to evaluating the non financial and financial eligibility of everyone in the group.

Food Assistance Program group composition is established by determining all of the following:

1. Who lives together.
2. The relationship(s) of the people who live together.
3. Whether the people living together purchase and prepare food together or separately.
4. Whether the person(s) resides in an eligible living situation; see **LIVING SITUATIONS** in this item.

RELATIONSHIPS

The relationship(s) of the people who live together affects whether they must be included or excluded from the group. First, determine if they **must** be included in the group. If they are **not** mandatory group members, then determine if they purchase and prepare food together or separately.

Spouses

Spouses who are legally married and live together **must** be in the same group.

**Parents and
Children**

Children include natural, step and adopted children.

Parents and their children **under** 22 years of age who live together **must** be in the same group regardless of whether the child(ren) have their own spouse or child who lives with the group.

Note: For ongoing and intake applications where the child(ren) are not yet 22, they are potentially eligible for their own case, the month after turning 22.

Primary Caretaker

The primary caretaker is the person who is primarily responsible for the child's day-to-day care and supervision in the home where the child sleeps more than half of the days in a calendar month, on average, in a twelve-month period.

Caretaker

A caretaker is a related or unrelated person who provides care or supervision to a child(ren) **under** 18 who lives with the caretaker but who is **not** a natural, step or adopted child. This policy does **not** apply to foster children (see below). A person acting as a parent and the child(ren) for whom he acts as a parent who live with him **must** be in the same group.

Example: Emma's grandson Pete (age 15) lives with her and she receives FIP for him as an ineligible grantee. She provides for his care by giving him a place to live, clothing, etc. Emma and Pete must be in the same group.

Example: Polly's niece Peggy (age 17) lives with her. Peggy has a full-time job, pays room rent and buys her own food. Polly states that she has just provided a place to live in exchange for the room rent; she does not supervise Peggy's activities. Polly and Peggy are separate groups. Either may apply with separate group status.

Foster Children

The FAP group may choose to include or exclude a foster child whose foster parent is a group member. If excluded, the foster child is **not** eligible for FAP as a separate group, and the foster care payment is **not** income to the group.

Foster Adults

The FAP group may choose to include or exclude a foster adult who lives with the group. If excluded, the foster adult is **not** eligible for FAP as a separate group, and the foster care payment is **not** income to the group.

Exception: This policy does **not** apply to residents of Adult Foster Care (AFC)/Community Living Facility (CLF) homes which are nonprofit and licensed for 16 or fewer residents. Policy in Bridges Eligibility Manual (BEM) 615, **Group Living Facilities** and BEM 617, **FAP in Nonprofit Group Living Facilities** applies to these residents.

LIVING WITH

Living with means sharing a home where family members usually sleep and share **any** common living quarters such as a kitchen, bathroom, bedroom or living room. Persons who share **only** an access area such as an entrance or hallway or non-living area such as a laundry room are **not** considered living together.

For policy regarding persons in other group living situations; see BEM 617.

Temporary Absence

A person who is temporarily absent from the group is considered living with the group.

A person's absence is temporary if all of the following are true:

- The person's location is known.
- The person lived with the group before an absence (newborns are considered to have lived with the group).
- There is a definite plan for return.
- The absence has lasted or is expected to last 30 days or less.

Exception: The absence may last longer than 30 days if the absent person is in a hospital and there is a plan for him to return to the home.

DETERMINING PRIMARY CARETAKER

When a child spends time with multiple caretakers who do not live together such as joint physical custody, parent/grandparent, etc., determine a primary caretaker. Only one person can be the primary caretaker and the other caretaker(s) is considered the absent caretaker(s). The child is **always** in the FAP group of the primary caretaker. If the child's parent(s) is living in the home, he/she must be included in the FAP group.

Exception: If otherwise eligible, the absent caretaker may receive FAP benefits for the child when the child is visiting the absent

caretaker for more than 30 days (not temporarily absent from the primary caretaker's home.)

Determine primary caretaker by using a twelve-month period. The twelve-month period begins when a primary caretaker determination is made. To determine the primary caretaker:

- Ask the client how many days the child sleeps at his/her home in a calendar month.
- Accept the client's statement unless questionable or disputed by another caretaker.

Note: When a caretaker works during a child's normal sleep hours, include the nights the child sleeps away from home when due solely to the caretaker's employment as nights slept in the home of the caretaker; see Example 3.

- If primary caretaker status is questionable or disputed, verification is needed.
- Allow both caretakers to provide evidence supporting his/her claim.
- Base your determination on the evidence provided by the caretakers; see **VERIFICATION SOURCES**.
- Document who the primary caretaker is in the case.

If the child spends virtually half of the days in each month, averaged over a twelve-month period with each caretaker, the caretaker who applies and is found eligible first, is the primary caretaker. The other caretaker(s) is considered the absent caretaker(s).

Example 1: Patty normally lives with Mom and they receive FAP benefits. Dad has scheduled visitation every other weekend, two weeks at Christmas, two weeks at Easter and eight weeks in the summer. When Patty is gone for the eight weeks in the summer, Dad (absent caretaker) could apply and receive FAP benefits with Patty in his group, if otherwise eligible. Patty would have to be removed from Mom's case because she **no** longer meets the definition of temporary absence.

Note: If in the example above, Patty returns every other weekend to visit with Mom during the summer visitation with Dad, she remains on Mom's case (she is temporarily absent).

Example 2: Eric is ten years old. His mom works during the week. Eric's mom drops him off at his grandmother's house on Sunday evening and picks him up on Friday evening. Eric's grandmother is primarily responsible for his care and supervision in the home where he sleeps more than half the days in a month when averaged over the next twelve months. Eric's grandmother is the primary caretaker. His mom is considered an absent caretaker.

Example 3: Mom works during Eric's normal sleep hours, and Eric is only at Grandma's house to sleep while mom works (he is not there all week). Mom is the primary caretaker. Grandma is providing child care.

Changes in Primary Caretaker

Re-evaluate primary caretaker status when any of the following occur:

- A new or revised court order changing custody or visitation is provided.
- There is a change in the number of days the child sleeps in another caretaker's home and the change is expected to continue, on average, for the next twelve months.
- A second caretaker disputes the first caretaker's claim that the child(ren) sleeps in their home more than half the nights in a month, when averaged over the next 12 months.
- A second caretaker applies for assistance for the same child.

Example: Martin has lived in Mom's home more than half the days in a month on average over the past several years. He is now a teenager and becoming a problem for Mom. There is a change in the custody arrangement. Mom and Dad agree that it would be better for Martin to live with Dad. They now expect him to stay at Dad's home more than half the days in a month, when averaged over the next twelve months. Dad is now the primary caretaker. Mom is considered the absent caretaker.

FOOD PURCHASE AND PREPARATION

The phrase, purchase and prepare together, is meant to describe persons who usually share food in common.

Persons usually share food in common if any of the following conditions exist:

- They each contribute to the purchase of food.
- They share the preparation of food, regardless of who paid for it.
- They eat from the same food supply, regardless of who paid for it.

In general, persons who live together and purchase and prepare food together are members of the FAP group.

Example: Sue, age 26 and her sister Mary, age 29 live in the same home. They purchase and prepare their food together. They are one FAP group.

Example: Betty and her two children move in with Sara, Betty's friend. Sara purchases and prepares food separately from Betty and her two children. They are two groups for FAP purposes.

Persons who normally purchase and prepare separately maintain that distinction even when they are temporarily sharing food with others.

Persons are temporarily sharing food if both of the following are true:

- They had previously purchased and prepared separately.
- Others are sharing their food until the person:
 - Is approved for FAP.
 - Qualifies for other cash assistance.
 - Secures some other source of income.

The purchase and prepare question on the DHS-1171, Assistance Application, is addressed as buy and fix food together.

Senior Impaired Group

A person at least 60 years old, his spouse and their children under 22 years of age may choose to be a separate group from those they live with, even if they purchase and prepare together if both of the following are true:

- The person cannot purchase and prepare meals due to a permanent disability as determined by Social Security Administration (SSA) or a non-disease-related permanent, severe disability.
- The countable income of all the other people the senior impaired group lives with does **not** exceed 165 percent of the poverty level; see Reference Tables Manuals (RFT) 250.

LIVING SITUATIONS

The following policies describe living situations which create ineligibility for FAP or which must meet specific requirements to allow eligibility.

Boarder

A boarder is a person residing in either of the following:

- In a commercial boarding house.
- With the FAP group and paying reasonable monthly compensation for meals.

A commercial boarding house is an establishment which provides room and board for compensation. It may or may **not** be licensed; it is **not** IRS tax exempt.

Persons residing in a commercial boarding house are **not** eligible for FAP.

Reasonable monthly compensation is:

- The amount of the maximum monthly FAP benefits for the number of persons making the board payment if the payment is for at least three meals a day.
- Two-thirds of the maximum monthly FAP benefits for the number of persons making the board payment if the payment is for less than three meals per day.

Note: Spouses, parents and children, and children under parental control of a person acting as a parent living together are never boarders, regardless of any payments made to one another.

The group providing the board in a noncommercial board situation may choose to include or exclude the boarder(s) from the group. If excluded, the boarder is **not** eligible for FAP.

Persons paying less than reasonable monthly compensation for board **must** be included in the group providing the board.

Residents of Institutions

A person is a resident of an institution when the institution provides the majority of his meals as part of its normal services.

Residents of institutions are **not** eligible for FAP unless one of the following is true:

- The facility is authorized by the Food and Consumer Service to accept FAP benefits.
- The facility is an eligible group living facility; see BEM 615.
- The facility is a medical hospital and there is a plan for the person's return home; see **Temporary Absence** in this item.

DISQUALIFIED PERSONS

A disqualified person is one who is ineligible for FAP because the person refuses or fails to cooperate in meeting an eligibility factor.

Disqualified members are determined based on questions in Bridges.

Individuals are disqualified for the following reasons:

- Failure to meet citizenship/alien status; see BEM 225.
- Failure to provide a social security number; see BEM 223.
- Failure to comply with employment-related activities; see BEM 233B.
- Intentional program violation; see Bridges Administrative Manual (BAM) 720.
- Voluntary quit; see BEM 233B.
- Failure to comply with a Quality Control review; see BAM 105.
- Child Support noncooperation; see BEM 255.
- Traffickers; see BEM 203.

- Parole and Probation Violators; see BEM 203.
- Drug-related felony, 2nd offense; see BEM 203.
- Divestment; see BEM 406.
- Time Limited; see BEM 620.

MEMBER ADDS/ DELETES

A member add that increases benefits is effective the month after it is reported **or**, if the new member left another group, the month after the member delete. In determining the potential FAP benefit increase, Bridges assumes the FIP/SDA supplement and new grant amount have been authorized.

When a member leaves a group to apply on his own or to join another group, a member delete should be completed in the month the local office learns of the application/member add. Initiate recoupment if necessary. If the member delete decreases benefits, adequate notice is allowed.

NON-GROUP MEMBERS

Persons might live with the FAP group or applicant group who are **not** group members. Do **not** consider their income and assets when determining the group's eligibility.

Furloughed Prisoner

A furloughed prisoner is a person on leave from a correctional institution. The Department of Corrections provides meals or meal money to such persons.

A furloughed prisoner is **not** eligible.

Ineligible Student

A person who is in student status and does not meet the criteria in BEM 245 is a non-group member.

Live-in Attendant

A live-in attendant lives in the group's home to provide housekeeping, medical or child care, or similar personal services. Persons

who take someone into their own home to provide such services are **not** live-in attendants.

The live-in attendant may apply for FAP as a separate group.

Note: Spouses, parents and children, and persons acting as a parent and the children they care for **cannot** be live-in attendants for one another, regardless of the actual situation.

Roomer

A roomer is a person to whom the group furnishes lodging, but **not** meals, for compensation.

The roomer(s) may apply for FAP as a separate group.

Persons Who Have Already Received FAP Benefits

A person must not participate as a member of more than one FAP group in any given month; see BEM 222.

Exception: Residents of shelters for battered women and children; see BEM 617.

If the person is a mandatory group member, action must be taken as soon as possible to remove him from his former group and add him to the new group.

CATEGORICALLY ELIGIBLE GROUP

After determining who is in the FAP group, Bridges determines if this group is categorically eligible for FAP benefits; see BEM 213.

VERIFICATION REQUIREMENTS

Verify group composition factors if the information given is questionable. Such factors might include boarder status, age or senior members, and inability to purchase and prepare meals separately.

Primary Caretaker

Accept the client's statement regarding the number of days per month (on average) a child sleeps in their home. Verify only if questionable or disputed by the other parent.

Senior Impaired Status

A person's impaired status **must** be verified if it is not obvious and it affects the FAP group composition.

VERIFICATION SOURCES

Verify the factors below using one of the listed sources.

Boarder Status

Written statement from the board provider that indicates the amount paid for board.

**Impaired
(Disability
Considered
Permanent Under
SSA)**

The following is a partial list of disabilities considered permanent under the SSA:

- Permanent loss of the use of both hands, both feet, or one hand and one foot.
- Amputation of a leg at the hip.
- Amputation of a leg or foot because of diabetes mellitus or a peripheral vascular disease.
- Total deafness, not correctable by surgery or a hearing aid.
- Statutory (legal) blindness, except if due to cataracts or a detached retina.
- IQ of 59 or less, established after age 16.
- Paraplegia or quadriplegia.

- Multiple sclerosis that is severe, recurring, and includes muscle weakness, paralysis, or interference of vision or speech.
- Muscular dystrophy with a significant effect on the use of the arms or legs.
- Chronic renal disease (documented by persistent, adverse objective findings) resulting in severely reduced kidney function.

Age

Birth Certificate.

Hospital certificate of birth.

Other official records containing birth information such as school records, medical records, baptismal record, marriage certificate, or insurance policy.

Identification containing birth information such as driver's license or state-issued ID.

Newspaper clipping containing the date of birth.

Written statements from two or more individuals who know the person's age.

**Inability to
Purchase and
Prepare Meals**

Statement from physician or psychologist.

Primary Caretaker

When primary caretaker status is questionable or disputed, base the determination on the evidence provided by the caretakers. Give each caretaker the opportunity to provide evidence supporting his/her claim. Suggested verifications include:

- The most recent court order that addresses custody and/or visitation.
- School records indicating who enrolled the child in school, first person contacted in case of emergency, and/or who arranges for child's transportation to and from school.

- Child care records showing who makes and pays for child care arrangements, and who drops off and picks up the child(ren).
- Medical providers' records showing where the child lives and who generally takes the child to medical appointments.

LEGAL BASE

7 CFR 273.1

7 CFR 273.8(h)

Mich Admin Code, R 400.3006